IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 4TH OCTOBER 2007 / 12TH ASWINA 1929

Bail Appl..No. 5993 of 2007()

CMP.../2007 of J.M.F.C.,MAVELIKKARA
CRIME NO.203/07 OF THE KURATHIKAD POLICE STATION

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: PETITIONER/ACCUSED

RAHIM, KALLUVETTUPARAMBIL VEEDU,
WARD NO.VIII, THAZHAKKARA PANCHAYATH,
VETTIYAR MURI, VETTIYAR VILLAGE.

BY ADV. SRI.GEORGE VARGHESE(PERUMPALLIKUTTIYIL)
SRI.A.R.DILEEP
SMT.KAVITHA GANGADHARAN

RESPONDENTS: STATE AND COMPLAINANT

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1. STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

2. CIRCLE INSPECTOR OF POLICE,
KURATHIKKAD POLICE STATION,
MAVELIKKARA.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 5993 of 2007

Dated this the 4th day of September, 2007

ORDER

Third application for regular bail. The petitioner faces allegations under Sec.302 of the IPC. The alleged incident took place on 3/8/07. The petitioner was arrested and he remains in custody from 6/8/07. Earlier applications for regular bail filed by the petitioner were dismissed as per orders in B.A.Nos.5168 and 5542/07. I had already adverted to the facts in detail in the said earlier orders. It is not necessary for me to advert to the facts in any greater detail in this order.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer, on condition that the Investigator is granted reasonable further time to complete the investigation and appropriate conditions may be imposed on the petitioner to facilitate a proper, effective and expeditious investigation and to ensure that the law and order situation in the locality is not affected, and I am satisfied that the petitioner can now be enlarged on bail

subject to appropriate terms and conditions.

3. **In the result:**

(a) This application is allowed. The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall not be released from custody on the strength of this order prior to 15/10/07. The Investigator shall, in the meantime, make every endeavour to complete the investigation.

(ii) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(iii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of three months from the date of his release and thereafter as and when directed by the Investigating Officer in writing to do so.

(iv) The petitioner shall, during the said period of three months, not enter the Sessions Division of Alappuzha, without

the prior permission of the learned Magistrate except for the purpose of complying with Condition No.(iii) above.

(R. BASANT, JUDGE)

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